

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HOUSE BILL 2786

AN ACT

AMENDING SECTIONS 5-522, 35-131, 44-302 AND 44-312, ARIZONA REVISED STATUTES;
MAKING APPROPRIATIONS; RELATING TO GENERAL REVENUES BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 5-522, Arizona Revised Statutes, is amended to
3 read:

4 5-522. Use of monies in state lottery fund; report

5 A. The monies in the state lottery fund shall be expended only for the
6 following purposes and in the order provided:

7 1. For the expenses of the commission incurred in carrying out its
8 powers and duties and in the operation of the lottery.

9 2. For payment to the commerce and economic development commission
10 fund established by section 41-1505.10 of not less than twenty-one and
11 one-half per cent of the revenues received from the sale of two special
12 lottery games conducted for the benefit of economic development.

13 3. Except as provided in subsection F of this section, for payment to
14 the local transportation assistance fund established by section 28-8101 of
15 not less than twenty-nine per cent of the revenues received from the sale of
16 multistate lottery games, up to a maximum of eighteen million dollars each
17 fiscal year.

18 4. For payment to the state general fund of not less than twenty-one
19 and one-half per cent of the revenues received from the sale of any instant
20 bingo games conducted by the state lottery and not less than twenty-nine per
21 cent of the revenues received from the sale of any on-line three-number games
22 conducted by the state lottery, up to a maximum of ten million dollars each
23 fiscal year, except that if on or before June 1 of each fiscal year the state
24 lottery director determines that monies available to the Arizona state parks
25 board heritage fund under subsection D of this section may not equal ten
26 million dollars in that fiscal year or that the monies available to the
27 Arizona game and fish commission heritage fund under subsection D of this
28 section may not equal ten million dollars in that fiscal year, or both, the
29 director shall authorize deposits to the Arizona state parks board heritage
30 fund in an amount so that the total monies in that fund in that fiscal year
31 equal ten million dollars or to the Arizona game and fish commission heritage
32 fund in an amount so that the total monies in that fund in that fiscal year
33 equal ten million dollars, or both. The state lottery director shall not
34 make any deposits pursuant to this paragraph until after the director's
35 determination each fiscal year.

36 5. Of the monies remaining in the state lottery fund from the sale of
37 instant bingo games and on-line three-number games each fiscal year, thirty
38 per cent shall be allocated to the funds and programs described in subsection
39 E of this section and seventy per cent shall be deposited in the local
40 transportation assistance fund established by section 28-8101. The director
41 shall not allocate more than the amount specified in subsection E of this
42 section for each fiscal year to the funds and programs described in
43 subsection E of this section from the state lottery fund pursuant to this
44 paragraph and subsection E of this section. A maximum of eighteen million
45 dollars may be deposited in the local transportation assistance fund each

1 fiscal year from the state lottery fund pursuant to this paragraph and
2 paragraph 3 of this subsection.

3 B. Of the monies remaining in the state lottery fund after the
4 appropriations authorized in subsection A of this section seventy-five per
5 cent up to a maximum of twenty-three million dollars each fiscal year shall
6 be deposited in the local transportation assistance fund established ~~pursuant~~
7 ~~to~~ BY section 28-8101 and twenty-five per cent up to a maximum of seven
8 million six hundred fifty thousand dollars each fiscal year shall be
9 deposited in the county assistance fund established ~~pursuant to~~ BY section
10 41-175. Monies distributed pursuant to this subsection shall be in addition
11 to monies distributed pursuant to subsection A, paragraphs ~~4- 3~~ and ~~6- 5~~ of
12 this section.

13 C. Notwithstanding subsection B of this section, if the state lottery
14 director determines at the beginning of any fiscal year that monies available
15 to cities, towns and counties under this section may not equal thirty million
16 six hundred fifty thousand dollars, the director shall not authorize deposits
17 to the county assistance fund until the deposits to the local transportation
18 assistance fund equal twenty-three million dollars.

19 D. Of the monies remaining in the state lottery fund each fiscal year
20 after appropriations and deposits authorized in subsections A, B and C of
21 this section, ten million dollars shall be deposited in the Arizona state
22 parks board heritage fund established ~~pursuant to~~ BY section 41-502 and ten
23 million dollars shall be deposited in the Arizona game and fish commission
24 heritage fund established ~~pursuant to~~ BY section 17-297.

25 E. Of the monies remaining in the state lottery fund each fiscal year
26 after appropriations and deposits authorized in subsections A, B, C and D of
27 this section, and appropriations and deposits to the local transportation
28 assistance fund authorized by this section, five million dollars shall be
29 allocated to the department of economic security for the healthy families
30 program established by section 8-701, four million dollars shall be allocated
31 to the Arizona board of regents for the Arizona area health education system
32 established by section 15-1643, three million dollars shall be allocated to
33 the department of health services to fund the teenage pregnancy prevention
34 programs established in Laws 1995, chapter 190, sections 2 and 3, two million
35 dollars shall be allocated to the department of health services for the
36 health start program established by section 36-697, two million dollars shall
37 be deposited in the disease control research fund established by section
38 36-274 and one million dollars shall be allocated to the department of health
39 services for the federal women, infants and children food program. The
40 allocations in this subsection shall be adjusted annually according to
41 changes in the GDP price deflator as defined in section 41-563 and the
42 allocations are exempt from the provisions of section 35-190, relating to
43 lapsing of appropriations. If there are not sufficient monies available
44 pursuant to this subsection, the allocation of monies for each program shall
45 be reduced on a pro rata basis.

1 F. Notwithstanding subsection A, paragraph 3 of this section, if the
2 state lottery director determines that monies available to the state general
3 fund from the sale of multistate lottery games may not equal thirty-one
4 million dollars in a fiscal year, the director shall not authorize deposits
5 to the local transportation assistance fund pursuant to subsection A,
6 paragraph ~~4~~ 3 of this section until the deposits to the state general fund
7 from the sale of multistate lottery games equal thirty-one million dollars in
8 a fiscal year.

9 G. OF THE MONIES REMAINING IN THE STATE LOTTERY FUND EACH FISCAL YEAR
10 AFTER APPROPRIATIONS AND DEPOSITS AUTHORIZED IN SUBSECTIONS A THROUGH F OF
11 THIS SECTION, ONE MILLION DOLLARS OR THE REMAINING BALANCE IN THE FUND,
12 WHICHEVER IS LESS, IS APPROPRIATED TO THE DEPARTMENT OF ECONOMIC SECURITY FOR
13 GRANTS TO NONPROFIT ORGANIZATIONS, INCLUDING FAITH BASED ORGANIZATIONS, FOR
14 HOMELESS EMERGENCY AND TRANSITIONAL SHELTERS AND RELATED SUPPORT SERVICES.
15 THE DEPARTMENT OF ECONOMIC SECURITY SHALL SUBMIT A REPORT ON THE AMOUNTS,
16 RECIPIENTS, PURPOSES AND RESULTS OF EACH GRANT TO THE GOVERNOR, THE SPEAKER
17 OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE ON OR BEFORE
18 DECEMBER 31 OF EACH YEAR FOR THE PRIOR FISCAL YEAR AND SHALL PROVIDE A COPY
19 OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA
20 STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

21 ~~G.~~ H. All monies remaining in the state lottery fund after the
22 appropriations and deposits authorized in this section shall be deposited in
23 the state general fund.

24 ~~H.~~ I. Except for monies expended for prizes as provided in section
25 5-504, subsection ~~H~~ G and section 41-1505.10, monies expended under
26 subsection A of this section ~~shall be~~ ARE subject to legislative
27 appropriation.

28 Sec. 2. Section 35-131, Arizona Revised Statutes, is amended to read:

29 35-131. Accounting system; reports; notice of deficiency; forms

30 A. In accordance with generally accepted governmental accounting
31 principles, the department of administration shall develop and prescribe for
32 the use of all budget units a uniform accounting system so designed as to
33 ensure compliance with all legal and constitutional requirements including
34 those respecting the receipt and expenditure of and the accountability for
35 public monies.

36 B. The department of administration shall maintain complete, accurate
37 and current financial records relating to state monies and to other public
38 monies in the state treasury available to, encumbered by or expended by each
39 budget unit, including trust monies or other monies not subject to
40 appropriation, setting out all revenues, charges against all funds, fund and
41 appropriation balances, interfund transfers, outstanding warrants and
42 encumbrances, in a manner consistent with the uniform state accounting
43 system, for the preparation of statewide financial statements in accordance
44 with generally accepted governmental accounting principles.

1 C. Each month the department of administration shall prepare and
2 submit to the governor a report summarizing by budget unit and appropriation
3 or other fund source the above information in such form as will most clearly
4 and accurately set out the current fiscal condition of the state and shall
5 furnish to each budget unit a report of its transactions by appropriation or
6 other fund source in a form that will clearly and accurately show the fiscal
7 activity and condition of such appropriation or fund source.

8 D. The responsible official for each budget unit shall monitor reports
9 prepared pursuant to subsection C of this section to identify any projected
10 total deficiency for the budget unit fiscal year. On a determination of a
11 projected deficiency, the official shall take any action necessary to assure
12 continuing compliance with section 1-254 by notifying the governor, the
13 speaker of the house of representatives, the president of the senate and the
14 chairman of the joint legislative budget committee of the deficiency and the
15 reasons for the deficiency. The initial notification of the deficiency shall
16 be followed within ten business days by a report from the responsible budget
17 unit official that includes the following:

- 18 1. A complete explanation of the causes of the deficiency.
- 19 2. A plan that assures that the deficiency will be resolved within the
20 fiscal year without supplemental appropriation and that includes the policy
21 and programmatic implications of the deficiency and the plan.
- 22 3. A commitment to provide a progress report if the projected degree
23 of deficiency changes substantially. The report shall include additional
24 measures necessary to assure resolution of the deficiency within the fiscal
25 year.

26 E. On or before December 1 of each year, the director of the
27 department of administration shall submit to the governor a complete report
28 of the financial transactions of the preceding fiscal year and of the
29 financial condition of the state at the end of that year with such comments
30 and supplementary data as the director of the department of administration
31 deems necessary to make the report complete and readily understandable. The
32 report shall include all appropriated and nonappropriated monies in no less
33 detail than the state general fund.

34 F. On or before February 1 of each year, the director of the
35 department of administration and the state treasurer shall submit to the
36 joint legislative budget committee a report explaining any differences
37 between the department of administration's estimate of the previous fiscal
38 year's state general fund ending balance submitted pursuant to subsection E
39 of this section and the state treasurer's estimate of the invested balance
40 including the general fund share of that balance as of June 30 of the
41 previous fiscal year submitted pursuant to section 41-172.

42 G. IN PREPARING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT PUBLISHED IN
43 ACCORDANCE WITH THE GENERALLY ACCEPTED ACCOUNTING PRINCIPLES, THE DEPARTMENT
44 OF ADMINISTRATION SHALL INCLUDE SUPPLEMENTARY SCHEDULES THAT RECONCILE ANY
45 DIFFERENCES BETWEEN THE STATE GENERAL FUND AS REPORTED IN THE COMPREHENSIVE

1 ANNUAL FINANCIAL REPORT AND THE STATE GENERAL FUND AS REPORTED IN THE ANNUAL
2 FINANCIAL REPORT REQUIRED BY SUBSECTION E OF THIS SECTION. THIS
3 RECONCILIATION SHALL ADDRESS REVENUES, EXPENDITURES AND FUND BALANCES.

4 ~~G.~~ H. The director of the department of administration shall
5 prescribe uniform classifications for assets, liabilities, receipts and
6 expenditures and forms for the periodic reporting of financial accounts,
7 transactions and other matters by budget units compatible with the reports
8 required of the director of the department of administration under this
9 section. Such records and accounts shall be maintained and reconciled by
10 budget units. If required for reporting, the department of administration
11 may establish or delete funds and budget units may maintain additional
12 records for reporting to the federal government or other funding source.

13 ~~H.~~ I. Each organization that is included in the state's reporting
14 entity as defined by generally accepted accounting principles shall submit
15 all necessary financial statements or information to the department of
16 administration on a basis of accounting that is consistent with generally
17 accepted accounting principles and that is in accordance with the policies
18 and procedures of the department of administration.

19 Sec. 3. Section 44-302, Arizona Revised Statutes, is amended to read:

20 44-302. Presumptions of abandonment

21 A. Property is presumed abandoned if it is unclaimed by the apparent
22 owner according to the following schedule:

23 1. A traveler's check is presumed abandoned fifteen years after
24 issuance.

25 2. A money order or similar written instrument, other than a third
26 party bank check, is presumed abandoned seven years after issuance.

27 3. Any stock or other equity interest in a business association or
28 financial organization, including a security entitlement under title 47,
29 chapter 8, is presumed abandoned three years after any of the following,
30 whichever occurs first:

31 (a) The date of the most recent dividend, stock split or other
32 distribution that is unclaimed by the apparent owner.

33 (b) The date of the second mailing of a statement of account or other
34 notification or communication that was returned as undeliverable.

35 (c) The date the holder discontinued mailings, notifications or
36 communications to the apparent owner.

37 4. The principal on debt, other than a bearer bond or an original
38 issue discount bond, of a business association or financial organization is
39 presumed abandoned ~~five~~ THREE years after the maturity date and the interest
40 on the debt is presumed abandoned ~~five~~ THREE years after the payment date.

41 5. A demand, savings or time deposit, including a deposit that is
42 automatically renewable, and any interest or dividends are presumed abandoned
43 five years after maturity or the date of the last indication by the owner of
44 interest in the property, whichever occurs first. For the purposes of this
45 paragraph, a deposit that is automatically renewable is deemed matured on its

1 initial date of maturity, unless the owner has consented to a renewal at or
2 about the time of the renewal and the consent is in writing or is evidenced
3 by any memorandum or other record on file with the holder.

4 6. Credits owed to a customer as a result of a retail business
5 transaction are presumed abandoned five years after the obligation accrued.

6 7. An amount owed by an insurance company on a life or endowment
7 insurance policy or an annuity that has matured or terminated is presumed
8 abandoned five years after the obligation to pay arose or, in the case of a
9 policy or annuity that is payable on proof of death, the amount is presumed
10 abandoned two years after the insured has attained, or would have attained if
11 the insured were living, the limiting age under the mortality table on which
12 the reserve is based. For the purposes of this paragraph all of the
13 following conditions apply:

14 (a) If a person other than the insured or annuitant is entitled to the
15 owed amount and the person's address is not known to the company or it is not
16 definite and certain from the records of the company who is entitled to the
17 amount, it is presumed that the last known address of the person who is
18 entitled to the amount is the same as the last known address of the insured
19 or annuitant according to the company's records.

20 (b) Notwithstanding any law, if the company learns of the death of the
21 insured or annuitant and the beneficiary has not communicated with the
22 insurer within four months after the death, the company shall take reasonable
23 steps to pay the proceeds to the beneficiary.

24 (c) Every change of beneficiary form issued by an insurance company
25 under any life or endowment insurance policy or annuity contract to an
26 insured or owner who is a resident of this state shall request the following
27 information:

28 (i) The name of each beneficiary, or if a class of beneficiaries is
29 named, the name of each current beneficiary in the class.

30 (ii) The address of each beneficiary.

31 (iii) The relationship of each beneficiary to the insured.

32 8. A life or endowment insurance policy or annuity contract not
33 matured by actual proof of the death of the insured or annuitant according to
34 the company's records is deemed matured and the proceeds are deemed due and
35 payable and are presumed abandoned after two years if all of the following
36 conditions apply:

37 (a) The insured has attained, or would have attained if the insured
38 were living, the limiting age under the mortality table on which the reserve
39 is based.

40 (b) The policy was in force at the time the insured attained or would
41 have attained the limiting age specified in subdivision (a) of this
42 paragraph.

1 (c) Neither the insured nor any other person who appears to have an
2 interest in the policy within the last two years according to the company's
3 records has assigned, readjusted or paid premiums on the policy or subjected
4 the policy to a loan, corresponded in writing with the company concerning the
5 policy or otherwise indicated an interest as evidenced by a memorandum or any
6 other record on file with and prepared by an employee of the company.

7 9. Property that is distributable by a business association or
8 financial organization in a course of dissolution is presumed abandoned one
9 year after the property becomes distributable.

10 10. Property that is received by a court as proceeds of a class action
11 and that is not distributed pursuant to the judgment is presumed abandoned
12 one year after the distribution date.

13 11. Property that is held by a court, government or governmental
14 subdivision, agency or instrumentality, except for support as defined in
15 section 25-500 or for spousal maintenance, is presumed abandoned three years
16 after the property becomes distributable. Monies held for the payment of
17 warrants by a state agency that remain unclaimed by the owner at the time of
18 the void date printed on the face of the warrant are presumed abandoned. For
19 THE purposes of this paragraph, ~~"governmental subdivision"~~ does not include
20 a special taxing district AS defined in section 48-241.

21 12. Wages or other compensation for personal services is presumed
22 abandoned one year after the compensation becomes payable.

23 13. Property in any individual retirement account, defined benefit plan
24 or other account or plan that qualifies for tax deferral under the income tax
25 laws of the United States is presumed abandoned three years after any of the
26 following, whichever occurs first:

27 (a) The date of the distribution or attempted distribution of the
28 property.

29 (b) The date of the required distribution as stated in the plan or
30 trust agreement that governs the plan.

31 (c) If determinable by the holder, the date specified in the income
32 tax laws of the United States by which distribution of the property must
33 begin in order to avoid a tax penalty.

34 14. Any amount that is payable on a check, draft or similar instrument
35 on which a financial organization or business association is directly liable,
36 including a cashier's check and a certified check, and that has been
37 outstanding for more than five years after the check, draft or similar
38 instrument was payable or after issuance if payable on demand is presumed
39 abandoned unless within five years the owner has communicated in writing with
40 the financial organization or business association concerning the check,
41 draft or similar instrument or otherwise indicated an interest as evidenced
42 by a memorandum or any other record on file and prepared by an employee of
43 the financial organization or business association.

1 15. All other property is presumed abandoned five years after the
2 owner's rights to demand the property or after the obligation to pay or
3 distribute the property arises, whichever occurs first.

4 16. Excess proceeds deposited with the county treasurer pursuant to
5 section 33-812 are presumed abandoned if the monies remain with the treasurer
6 for at least three years from the date of deposit and there is no pending
7 application for distribution.

8 17. ANY DIVIDEND, PROFIT, DISTRIBUTION, INTEREST, REDEMPTION, PAYMENT
9 ON PRINCIPAL OR OTHER SUM HELD OR OWING BY A BUSINESS ASSOCIATION FOR OR TO
10 ITS SHAREHOLDER, CERTIFICATE HOLDER, MEMBER, BONDHOLDER OR OTHER SECURITY
11 HOLDER WHO HAS NOT CLAIMED IT, OR CORRESPONDED IN WRITING WITH THE BUSINESS
12 ASSOCIATION CONCERNING IT, IS PRESUMED ABANDONED THREE YEARS AFTER THE DATE
13 PRESCRIBED FOR PAYMENT OR DELIVERY.

14 B. At the time that an interest is presumed abandoned under subsection
15 A of this section, any other property right accrued or accruing to the owner
16 as a result of the interest, and not previously presumed abandoned, is also
17 presumed abandoned.

18 C. Property is unclaimed if, for the applicable period prescribed in
19 subsection A of this section, the apparent owner has not communicated in
20 writing with the holder or communicated by other means reflected in a
21 contemporaneous record that is prepared by or on behalf of the holder and
22 that concerns the property or the account or accounts in which the property
23 is held and has not otherwise indicated an interest in the property and if
24 the holder has not communicated in writing with regard to the property that
25 would otherwise be unclaimed. A communication with an owner by a person
26 other than the holder or the holder's representative who has not identified
27 the property in writing to the owner is not an indication of interest in the
28 property by the owner.

29 D. An indication of an owner's interest in property includes:

30 1. The presentment of any check or other instrument of payment of any
31 dividend or other distribution that is made with respect to any account,
32 underlying stock or other interest in a business association or financial
33 organization. If the distribution is made by electronic or similar means an
34 indication of an owner's interest includes evidence that the distribution has
35 been received.

36 2. Activity directed by the owner in the account in which the property
37 is held, including a direction by the owner to increase, decrease or change
38 the amount or type of property held in the account.

39 3. The making of a deposit to or withdrawal from a bank account.

40 4. The payment of a premium with respect to a property interest in an
41 insurance policy. The application of an automatic premium loan provision or
42 any other nonforfeiture provision in an insurance policy does not prevent a
43 policy from maturing or terminating if the insured has died or if the insured
44 or the beneficiary of the policy has otherwise become entitled to the

1 proceeds before the depletion of the cash surrender value of a policy by the
2 application of those provisions.

3 E. Property is payable or distributable notwithstanding the owner's
4 failure to make demand or present an instrument or document otherwise
5 required to obtain payment.

6 Sec. 4. Section 44-312, Arizona Revised Statutes, is amended to read:

7 44-312. Public sale of abandoned property

8 A. Except as otherwise provided in this section, within three years
9 after receiving abandoned property the department shall sell the property to
10 the highest bidder at a public sale at a location in this state that in the
11 judgment of the department affords the most favorable market for the
12 property. The department may decline the highest bid and reoffer the
13 property for sale if the department considers the bid to be
14 insufficient. The department is not required to offer the property for sale
15 if the department determines that the probable cost of the sale will exceed
16 the proceeds from the sale. Before conducting a sale pursuant to this
17 section, the department shall cause a notice to be published at least three
18 weeks before the sale in a newspaper of general circulation in the county in
19 which the sale will occur.

20 B. The department shall sell securities that are listed on an
21 established stock exchange at prices prevailing on the exchange at the time
22 of the sale. The department may sell other securities over the counter at
23 prices prevailing at the time of the sale or by any reasonable method
24 selected by the department.

25 ~~C. If the department sells the securities before the expiration of~~
26 ~~three years after the holder delivers the securities to the department, a~~
27 ~~person who makes a claim pursuant to this chapter before the end of the three~~
28 ~~year period is entitled to receive from the department the proceeds of the~~
29 ~~sale of the securities or the market value of the securities at the time the~~
30 ~~claim is made, whichever is more, plus dividends, interest and other~~
31 ~~increments accrued up to the time the claim is made, minus all expenses of~~
32 ~~the sale.~~ A person who makes a claim pursuant to this chapter ~~after the~~
33 ~~expiration of the three year period~~ FOR SECURITIES is entitled to receive
34 from the department the securities that the holder delivered to the
35 department if the securities remain in the department's custody or the person
36 is entitled to receive the net proceeds of the sale. Except in a case of
37 intentional misconduct or malfeasance by the department, the person is not
38 entitled to receive any appreciation in the value of the property that
39 occurred after the delivery to the department.

40 D. A purchaser of property at a sale conducted by the department
41 pursuant to this chapter takes the property free of all claims of the owner
42 or previous holder and of all persons claiming through or under the owner or
43 previous holder. The department shall execute all documents necessary to
44 complete the transfer of ownership.

1 Sec. 5. Securities sales; distribution of proceeds

2 Notwithstanding any other law, any proceeds from the sales of
3 securities pursuant to section 44-312, Arizona Revised Statutes, as amended
4 by this act, in fiscal year 2007-2008 shall be deposited in the state general
5 fund.

6 Sec. 6. Arizona twenty-first century competitive initiative
7 fund; appropriations

8 A. The sum of \$25,000,000 is appropriated from the state general fund
9 in each of the fiscal years 2007-2008 through 2010-2011 for deposit into the
10 Arizona twenty-first century competitive initiative fund established by
11 section 41-1505.09, Arizona Revised Statutes, and the same amounts are
12 appropriated from that fund to the commerce and economic development
13 commission in each fiscal year for the purposes prescribed in Laws 2006,
14 chapter 334.

15 B. In order to amend the existing memorandum of understanding or enter
16 into a new memorandum of understanding with the commission pursuant to
17 section 41-1505.09, Arizona Revised Statutes, a nonprofit corporation shall
18 identify and document written agreements for private or philanthropic
19 investments either for specific grants or for general grant investment areas
20 that are equivalent to \$25,000,000 or more in each of the fiscal years
21 2007-2008, 2008-2009, 2009-2010 and 2010-2011. Unless prohibited by the
22 organization's governing documents, the private or philanthropic investments
23 shall be cash contributions to the nonprofit. State funds shall be drawn
24 down incrementally as the cash match is received by the nonprofit and
25 documented by the commission.

26 C. The appropriations made in subsection A of this section are exempt
27 from the provisions of section 35-190, Arizona Revised Statutes, relating to
28 the lapsing of appropriations.

29 Sec. 7. Unrestricted federal monies; retroactivity

30 A. Any unrestricted federal monies received from May 1, 2007 through
31 June 30, 2008 shall be deposited in the state general fund. The monies shall
32 be used for the payment of essential governmental services.

33 B. This section is effective retroactively to from and after April 30,
34 2007.

35 Sec. 8. Department of insurance; fee and assessment adjustment
36 suspension; retroactivity

37 A. Notwithstanding section 20-167, subsection F, Arizona Revised
38 Statutes, and section 20-466, subsection J, Arizona Revised Statutes, the
39 director of insurance shall not revise fees or assessments in fiscal year
40 2007-2008 and fiscal year 2008-2009 for the purposes of meeting the
41 requirement to recover at least ninety-five per cent but not more than one
42 hundred ten per cent of the department of insurance's appropriated budget.

43 B. This section is effective retroactively to from and after June 30,
44 2007.

1 Sec. 9. State real estate department: fee adjustment:
2 suspension: retroactivity

3 A. Notwithstanding section 32-2103, subsection B, Arizona Revised
4 Statutes, the state real estate commissioner shall not revise fees in fiscal
5 year 2007-2008 for the purposes of meeting the requirement to recover at
6 least ninety-five per cent but not more than one hundred ten per cent of the
7 state real estate department's appropriated budget.

8 B. This section is effective retroactively to from and after June 30,
9 2007.